

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JANE DOE, AS THE NATURAL MOTHER
AND NEXT FRIEND OF JOHN DOE, A MINOR,**

PLAINTIFF

VS.

CIVIL ACTION NO. 3:24-cv-788-DPJ-ASH

**NICK SMITH, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
BROOKE SIBLEY, IN HER INDIVIDUAL AND OFFICIAL CAPACITY,
JOSH SANDERS, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
CAMP KEITH, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
KENNETH THOMPSON, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
JASON CAIN, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
MARTY MCKEE, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,
AND NEWTON COUNTY SCHOOL DISTRICT**

DEFENDANTS

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

COMES NOW Jane Doe, the Natural Mother and Next Friend of John Doe, a minor, pursuant to Fed.R.Civ.P. 65, and respectfully moves this Court for a preliminary injunction enjoining Defendants, Newton County School District, Nick Smith, Brooke Sibley, Josh Sanders, Camp Keith, Kenneth Thompson, Jason Cain, Marty McKee, individually and in their official capacities, their agents, servants, employees, attorneys, and all persons and/or entities in active concert in participation with them, directly or indirectly, from placing John Doe in alternative school without affording him a due process hearing.

In the absence of a preliminary injunction, John Doe will continue to suffer irreparable harm. Specifically, he will continue to lose rights and freedoms guaranteed by the United States

Constitution, the Mississippi Constitution and Miss. Code Ann. § 37-9-71. In support of his motion, John Doe relies on the following:

- A. Affidavit of the mother of John Doe;
- B. Section from the Newton County School District's Handbook; and
- C. Memorandum of Law in Support of this Motion for Preliminary Injunction.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests this Honorable Court grant the instant Motion for Preliminary Injunction.

RESPECTFULLY SUBMITTED, this is the 24th day of December, 2024.

JANE DOE, the mother and next friend of
JOHN DOE, A MINOR

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